

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 20, 2008
SAN FRANCISCO, CALIFORNIA**

S049973

**PEOPLE v. KELLY
(DOUGLAS OLIVER)**

Rehearing denied
The request for modification of the opinion is granted.
The petition for rehearing is denied.

S144753

**FASHION VALLEY MALL
LLC v. NATIONAL LABOR
RELATIONS BOARD
(GRAPHIC
COMMUNICATIONS
INTERNATIONAL UNION
LOCAL 432-M)**

Rehearing denied
Baxter, Chin, and Corrigan, JJ., are of the opinion the petition should be granted.

S049973

**PEOPLE v. KELLY
(DOUGLAS OLIVER)**

Opinion modified - no change in judgment

S147999

A110449/A110450/A110451/A110463/A110651/A110652

First Appellate District, Div. 3

MARRIAGE CASES, IN RE

Request for extended media coverage granted

The request for extended media coverage, filed by the Associated Press on February 15, 2008, is granted, subject to the conditions set forth in rule 1.150, California Rules of Court.

S149847 E038114 Fourth Appellate District, Div. 2**O'HANESIAN (CHARLES
MICHAEL) v. STATE FARM
MUTUAL AUTOMOBILE
INSURANCE COMPANY**

Case consolidated - all subsequent events to be docketed in:

Bouton v. USAA Casualty Ins. Co., S149851, and the related matter *O'Hanesian v. State Farm Mutual Automobile Ins. Co.*, S149847, are ordered consolidated for argument and opinion. A single consolidated oral argument will be scheduled as soon as is consistent with (1) attention to matters entitled to greater preference by law and (2) application of those provisions of the Internal Operating Practices and Procedures of the California Supreme Court that may necessarily affect scheduling allocated to the petitioners in their respective actions (USAA, Defendant and Respondent in S149851, and O'Hanesian, Plaintiff and Appellant in S149847), and Respondents in S149847). For purposes of argument, the petitioners in their respective actions shall argue first and may reserve time for rebuttal, and the Respondents in S149847). For purposes of argument, the petitioners in their respective actions shall argue first and may reserve time for rebuttal, and the respondents in their respective actions shall argue second.

S149851 D048522 Fourth Appellate District, Div. 1**BOUTON (LLOYD) v. USAA
CASUALTY INSURANCE
COMPANY**

Case consolidated with:

Bouton v. USAA Casualty Ins. Co., S149851, and the related matter *O'Hanesian v. State Farm Mutual Automobile Ins. Co.*, S149847, are ordered consolidated for argument and opinion. A single consolidated oral argument will be scheduled as soon as is consistent with (1) attention to matters entitled to greater preference by law and (2) application of those provisions of the Internal Operating Practices and Procedures of the California Supreme Court that may necessarily affect scheduling of the case for oral argument (see Supreme Ct. Internal Operating Practices & Procedures §§ V, VI). Oral argument shall be one hour total, with 30 minutes allocated to the petitioners in their respective actions (USAA, Defendant and Respondent in S149851, and O'Hanesian, Plaintiff and Appellant in S149847), and with 30 minutes allocated to the respondents in their respective actions (Bouton, Plaintiff and Appellant in S149851, and State Farm et al., Defendants and Respondents in S149847). For purposes of argument, the petitioners in their respective actions shall argue first and may reserve time for rebuttal, and the respondents in their respective actions shall argue second.

S159141 B192544 Second Appellate District, Div. 6 **MONTGOMERY (MICHAEL)
ON H.C.**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of related issue in *In re Sandra Lawrence on Habeas Corpus*, S154018, *In re Richard Shaputis on Habeas Corpus*, S155872, and *In re Arnold Jacobson on Habeas Corpus*, S156416 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court.

Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S159328 C055089 Third Appellate District **PEOPLE v. TILLEY
(MICHAEL WILLIAM)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. French*, S148845 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S159866 C052984 Third Appellate District **PEOPLE v. DANIELS
(CLARENCE)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petitions for review are granted. Further action in this matter is deferred pending consideration and disposition of related issue in *People v. Towne*, S125677, and *People v. Nguyen*, S154847 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court.

Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S159175 D051900 Fourth Appellate District, Div. 1 **UYBUNGCO (JOSE) v. S.C.
(SAN DIEGO POLICE)**

Review granted; transferred to CA 4/1 to issue OSC

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth District, Division One, which is ordered to vacate its summary denial dated December 7, 2007, and is further ordered to issue an order to show cause returnable before that court. The San Diego Police Department is to be ordered to show cause, when the matter is placed on calendar, why defendant is not entitled to discovery of police officer personnel records pertaining to complaints

of the filing of false police reports by all four officers. (See Evid. Code, §§ 1043, 1045; Pen. Code, §§ 832.5, 832.7; *Warrick v. Superior Court* (2005) 35 Cal.4th 1011, 1022-1028; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536-537.)

Votes: George, C. J., Kennard, Werdegar, and Moreno, JJ.

S159999 B201677 Second Appellate District, Div. 1 **PUGH (DELORES) v.
W.C.A.B. (COUNTY OF LOS
ANGELES)**

Review granted; transferred to CA 2/1 to issue writ/review

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its summary denial and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S158145 H030381 Sixth Appellate District **PEOPLE v. LEONEL (ORBIN
SANTOS)**

Petitions for review denied

S158316 F051099 Fifth Appellate District **PEOPLE v. SAESEE (ROGER)**
Petition for review denied

S158611 E038911 Fourth Appellate District, Div. 2 **PEOPLE v. SAA (ALBERTO)**
Petitions for review denied

S158824 H029957 Sixth Appellate District **PEOPLE v. GUTIERREZ
(JOSE ROBERT)**

Petition for review denied

S158865 F050524 Fifth Appellate District **PEOPLE v. ALVAREZ
(SALVADOR GUZMAN)**

Petition for review denied

S158945 A114162 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PATTERSON
(LAMONT)**

S159014 C052581 Third Appellate District

Petition for review denied

**PEOPLE v. NGUYEN (LONG
PHI)**

S159016 C054130 Third Appellate District

Petition for review denied

**PEOPLE v. YOUNG
(EDWARD)**

S159033 H030822 Sixth Appellate District

Petition for review denied

**BETTENCOURT (DANIEL
FREDERICK) ON H.C.**

S159049 B191157 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. AGHCHAY
(DEREK)**

S159053 C051704 Third Appellate District

Petition for review denied

**PEOPLE v. PRENTICE
(TERRY LYN)**

S159074 B202559 Second Appellate District, Div. 3

Petition for review denied

ELSTER (JERRY) ON H.C.

S159088 F050831 Fifth Appellate District

Petition for review denied

PEOPLE v. LOPEZ (CARLOS)

S159089 H031272 Sixth Appellate District

Petition for review denied

**PEOPLE v. WALES (SCOTT
BRYAN)**

S159097 E041033 Fourth Appellate District, Div. 2 **PEOPLE v. KELLY (JOSEPH EIL)**

Petition for review denied

S159100 B185614 Second Appellate District, Div. 2 **PEOPLE v. PRESLEY (KENNETH)**

Petitions for review denied

S159107 B202907 Second Appellate District, Div. 4 **BRODSKY (CLIFFORD) ON H.C.**

Petition for review denied

S159108 G039609 Fourth Appellate District, Div. 3 **MADRID (DANNY) ON H.C.**

Petition for review denied

S159121 C056489 Third Appellate District **PEOPLE v. GARCIA (CATHY DAWN)**

Petition for review denied

S159131 B203419 Second Appellate District, Div. 7 **JAY (MATTHEW ADAM) ON H.C.**

Petition for review denied

S159171 D047991 Fourth Appellate District, Div. 1 **PEOPLE v. COWANS (LUCIUS C.)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S159176 B198662 Second Appellate District, Div. 6 **PEOPLE v. FORRESTER (JASON MICHAEL)**

Petition for review denied

S159191	E044599 Fourth Appellate District, Div. 2	M. (ISAIAH) v. S.C. (PEOPLE)
Petition for review denied		
S159210	B203796 Second Appellate District, Div. 2	RUE (HAROLD DEXTER) ON H.C.
Petition for review denied		
S159212	B197266/B197270 Second Appellate District, Div. 5	SCHULTZ (MARTIN M.) v. FULTON ASSOCIATES
Petition for review denied		
S159215	C054589 Third Appellate District	PEOPLE v. PRESLEY (BRUCE MICHELLE)
Petition for review denied		
S159258	E041847 Fourth Appellate District, Div. 2	Z. (LUIS), IN RE
Petition for review denied		
S159266	B189430 Second Appellate District, Div. 4	PEOPLE v. HARRISON (ANNE MARIE)
Petitions for review denied		
S159295	A119632 First Appellate District, Div. 2	PERKINS (ERIC) ON H.C.
Petition for review denied		
S159308	B192973 Second Appellate District, Div. 2	PEOPLE v. LEWIS (DONNIE)
Petition for review denied		
S159314	D048986 Fourth Appellate District, Div. 1	SHARP HEALTHCARE v. COUNTY OF SAN DIEGO
Petition for review denied		

S159325 E042091 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FERNANDEZ
(MARIO)**

S159330 B203661 Second Appellate District, Div. 5

Petition for review denied

**SMITH (CHARLES EARL)
ON H.C.**

S159362 H032290 Sixth Appellate District

Petition for review denied

**WILLCOXON (WOODROW)
ON H.C.**

S159363 A114374 First Appellate District, Div. 5

Petition for review denied

**SLATER (CAROL L.) v. LERA
(VINCENT)**

S159446 A117263 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. REESE
(SANTONIO PATRICK)**

S159461 A117945 First Appellate District, Div. 4

Petition for review denied

J. (DAYMONEE), IN RE

S159462 B204263 Second Appellate District, Div. 6

Petition for review denied

SPELLS (EVERT) ON H.C.

S159471 C057435 Third Appellate District
ON

Petition for review denied

**GUERRERO (ARMANDO)
H.C.**

S159488 B190431 Second Appellate District, Div. 7

Petition for review denied

**HARRINGTON-WISELY
(GAIL MARIE) v. STATE OF
CALIFORNIA**

S159503 A114623 First Appellate District, Div. 1

Petition for review & depublication request(s) denied

**COLD CREEK COMPOST,
INC. v. STATE FARM FIRE &
CASUALTY COMPANY**

S159507 B201560 Second Appellate District, Div. 4

Petition for review denied

**GRIMES, JR., (GERALD R.)
ON H.C.**

S159527 H031049 Sixth Appellate District

Petition for review denied

**TANIMURA & ANTLE v.
W.C.A.B. (LOPEZ)**

S159576 H029323 Sixth Appellate District

Petition for review denied

**PEOPLE v. LANDECHO
(RICARDO MARTINEZ)**

S159600 F050750 Fifth Appellate District

Petition for review denied

**PEOPLE v. CAMPOS
(ALBERT ANGELO)**

S159617 B196718 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. COLLADO
(GEORGE CARLOS)**

S159634 E038151 Fourth Appellate District, Div. 2

Petitions for review denied

**PEOPLE v. ARMSTER (TONY
EUGENE)**

S159718	B197656 Second Appellate District, Div. 5	PEOPLE v. BRADFORD (RICHARD)
Petitions for review denied		
S159734	H029806 Sixth Appellate District	PEOPLE v. MCCLAIN (ERIC ROBERT)
Petition for review denied		
S159738	B187273 Second Appellate District, Div. 8	RICHESON (JUANITA) v. HELAL (HAQUE)
Petition for review denied		
S159777	B191028 Second Appellate District, Div. 6	WYSINGER (GUY) v. AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA
Petition for review & depublication request(s) denied		
S159810	A116243 First Appellate District, Div. 1	GUERRA (GLORIA) v. ALAMEDA POLICE DEPARTMENT
Petition for review denied		
S159813	C055576 Third Appellate District	PEOPLE v. WYATT (RICHARD LEIGH WYATT)
Petition for review denied		
S159841	C054351 Third Appellate District	PEOPLE v. THOMPSON (JERMAINE CASADINE)
Petition for review denied		
S159873	E039087 Fourth Appellate District, Div. 2	PEOPLE v. GEBHARDT (CHRISTOPHER J.)
Petition for review denied		

S159874 D050383 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SANCHEZ
(OSCAR RFAEL)**

S159875 C054431 Third Appellate District

Petition for review denied

PEOPLE v. LOPEZ (RALPH)

S159877 A114057 First Appellate District, Div. 3

Petition for review denied

PEOPLE v. HINTON (GINA)

S159880 D050301 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CARIGNAN
(RICARDO ALBERTO)**

S159893 A115510 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SWAID (SAFA
AHMED)**

S159900 H030803 Sixth Appellate District

Petition for review denied

**PEOPLE v. HOBBS
(JEFFREY)**

S159905 B191363 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ALVARADO
(ISMAEL JOSE)**

S159908 F050184 Fifth Appellate District

Petition for review denied

**PEOPLE v. WHITE (ADRIAN
JOE)**

S159912 A116050 First Appellate District, Div. 5

**PEOPLE v. ADAMS (CORY
BRUCE)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S159914 A112109 First Appellate District, Div. 4

**PEOPLE v. FONTENOT, JR.,
(HUBERT LEE)**

Petition for review denied

S159916 B204371 Second Appellate District, Div. 8

RAEL (LEROY) ON H.C.

Petition for review denied

S159918 B196569 Second Appellate District, Div. 4

**WILKERSON (CARLOS) ON
H.C.**

Petition for review denied

S159919 F050950 Fifth Appellate District

S. (ANTHONY), IN RE

Petition for review denied

S159927 C055641 Third Appellate District

**PEOPLE v. PETTWAY
(VICTOR)**

Petition for review denied

S159937 B192979 Second Appellate District, Div. 5

**PEOPLE v. BARAJAS (JOSE
JESUS)**

Petition for review denied

S159939 A113495 First Appellate District, Div. 5

PEOPLE v. PENELL (MEL A.)

Petition for review denied

S159946 E043953 Fourth Appellate District, Div. 2

Petition for review denied

**SYSCO FOOD SERVICES OF
SAN DIEGO, INC. v. S.C.
(FUENTES)**

S159948 E042464 Fourth Appellate District, Div. 2
(ANGELA

Petition for review denied

**PEOPLE v. BROCK
LYNN)**

S159952 G038120 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARQUEZ-
ORTIZ (JORGE ARTURO)**

S159955 B196868 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BLACK (VENOY
KELLY)**

S159961 A116920 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HOLT (LEONARD
DWAYNE)**

S159962 A110506 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. LEONCE
(RAYMOND SYDNEY)**

S159967 B189275 Second Appellate District, Div. 3

Petition for review denied

George, C. J., was recused and did not participate.

**LINDSTOM (CARL) v. HUNT
ENTERPRISES, INC.**

S159968 E039865 Fourth Appellate District, Div. 2

Petition for review denied

R. (EFRAIN), IN RE

S159980 A116774 First Appellate District, Div. 5

Petition for review denied

**FIELDS (MACHOND) v.
PERKINS (GLORIA)**

S159989 C053432 Third Appellate District

Petition for review denied

**PEOPLE v. RETAMOZA
(ANTHONY)**

S159997 C051764 Third Appellate District

Petition for review denied

**PEOPLE v. MENDOZA (JUAN
CESAR)**

S159998 B190010 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MELENDEZ
(SALVADOR P.)**

S160004 C054179 Third Appellate District

Petition for review denied

**PEOPLE v. GALINDO
(ABRAHAM)**

S160007 B196475 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. STUBBS (JOE
WILLIE)**

S160008 B191228 Second Appellate District, Div. 1

Petition for review denied

**MOORE (SHEILA G.) v.
KAUFMAN (BARRY
B.)/(DIAZ)**

S160009 C054511 Third Appellate District

Petition for review denied

G. (HOSEA) IN RE

S160010 C053090 Third Appellate District

Petition for review denied

PEOPLE v. CHAVEZ (RUBEN CHAVARRIA)

S160011 C057644 Third Appellate District

Petition for review denied

WILSON (WILLIE) ON H.C.

S160015 D050399 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. KINNEY (JUAN DEVON)

S160018 H030945 Sixth Appellate District

Petition for review denied

PEOPLE v. CLEMONS (JAMES)

S160022 E041930 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. SHERWOOD (ROBIN L.)

S160026 F051717 Fifth Appellate District

Petition for review denied

PEOPLE v. CHIAPPETTA (CRAIG THOMAS)

S160029 F051856 Fifth Appellate District

Petition for review denied

PEOPLE v. BONILLA (ELVIN)

S160030 B195698 Second Appellate District, Div. 7
(KAMAU)

Petition for review denied

PEOPLE v. MCGEE

S160033 B193998 Second Appellate District, Div. 7

PEOPLE v. ROGERS (DAMMON J.)

Petition for review denied

S160052 B187468 Second Appellate District, Div. 2

**PEOPLE v. NAVARRO
(EDDIE)**

Petitions for review denied

S160053 D050358 Fourth Appellate District, Div. 1

**VAUGHT (MARCK O.) v.
STATE OF CALIFORNIA**

Petition for review denied

S160054 A120159 First Appellate District, Div. 4

**ALLEN (DAVID OLIVER) v.
S.C. (PEOPLE)**

Petition for review denied

S160059 B204727 Second Appellate District, Div. 6

**LEWIS (DERRICK L.) ON
H.C.**

Petition for review denied

S160061 F051187 Fifth Appellate District

**PEOPLE v. LONG (CRAIG
DOUGLAS)**

Petition for review denied

S160062 D049559/D051047 Fourth Appellate District, Div. 1 **PEOPLE v. BRUCE
(RODNEY)**

Petition for review denied

S160065 E044681 Fourth Appellate District, Div. 2
Petition for review denied

PIERSON (MARC R.) ON H.C.

S160076 F054383 Fifth Appellate District

**HATTON (MICHAEL ORBE)
v. S.C. (PEOPLE)**

Petition for review denied

S160080 D048794 Fourth Appellate District, Div. 1

**PEOPLE v. SANCHEZ
(ANTONIO)**

Petition for review denied

S160084 G039502 Fourth Appellate District, Div. 3

**AYARS (BETH ALLISON) ON
H.C.**

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides in *In re Gomez*, S155425, whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. ___, 127 S. Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.

S160087 C050942 Third Appellate District

**PEOPLE v. PHELPS
(CONWAY SCOTT)**

Petition for review denied

S160101 E039691/E041718 Fourth Appellate District, Div. 2 **M. (M), IN RE**

Petition for review denied

S160113 B193551 Second Appellate District, Div. 2

PEOPLE v. EHLERS (MARK)

Petition for review denied

S160119 B186332 Second Appellate District, Div. 6

**PEOPLE v. COFFMAN
(DANIEL RAY)**

Petition for review denied

S160141 B194152 Second Appellate District, Div. 7

V. (JOSE), IN RE

Petition for review denied

S160156 B193853 Second Appellate District, Div. 7

**PEOPLE v. MCCLENDON
(DERRION)**

Petition for review denied

S160174 B187421 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MARTINEZ
(FELIX GONZALES)**

S160177 D049819 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CALAC (ANDREE
FRANCIS)**

S160182 F049370 Fifth Appellate District

Petition for review denied

**PEOPLE v. MIRANDA
(ROBERT LEE)**

S160197 C057445 Third Appellate District

Petition for review denied

**PHILLIPS (RAYMOND) v.
W.C.A.B. (DEPARTMENT OF
HEALTH SERVICES)**

S160559 B204665 Second Appellate District, Div. 6

Petition for review and application for stay denied

**DUMIAS (MARK) v. S.C.
(PEOPLE)**

S160908 D052022 Fourth Appellate District, Div. 1

Petition for review and application for stay denied

**YAMAHA MOTOR
CORPORATION, U.S.A. v.
S.C. (FORT)**

S154367

Petition for writ of habeas corpus denied

KEGLER (IZEAR) ON H.C.

S154463

Petition for writ of habeas corpus denied

TRUONG (HI QUOC) ON H.C.

S154743

Petition for writ of habeas corpus denied

MIRACLE (JOSHUA M.) ON H.C.**S155106**

Petition for writ of habeas corpus denied

DURAN (GILBERT) ON H.C.**S155126**

Petition for writ of habeas corpus denied

TITCH (MARK) ON H.C.**S155170**

Petition for writ of habeas corpus denied

DAWSON (DONALD K.) ON H.C.**S155479**

Petition for writ of habeas corpus denied

LAM (LONG) ON H.C.**S155519**

Petition for writ of habeas corpus denied

DEWEY (PAUL EDWARD) ON H.C.**S155522**

Petition for writ of habeas corpus denied

HILL (EUGENE) ON H.C.**S155582**

Petition for writ of habeas corpus denied

WALKER (CHARLES E.) ON H.C.(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S155747**

Petition for writ of habeas corpus denied

MOTON (WENDELL E.) ON H.C.

S155751

Petition for writ of habeas corpus denied

**BELL (TERRY LAWRENCE)
ON H.C.****S155858**Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**SINN (GARY) ON H.C.****S155869**

Petition for writ of habeas corpus denied

JACKSON (LEROY) ON H.C.**S155871**Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**ECKSTROM (CARL) ON H.C.****S155874**Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**WILLIAMS (RICKEY) ON
H.C.****S155881**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**SWOKIA (GREGORY) ON
H.C.****S155896**

Petition for writ of habeas corpus denied

LEWIS (DAVID K.) ON H.C.**S155907**

Petition for writ of habeas corpus denied

**MARION (TIMOTHY WADE)
ON H.C.**

S155914

Petition for writ of habeas corpus denied

**WEATHERMON (WARREN)
ON H.C.****S155918**

Petition for writ of habeas corpus denied

**STEVENS (LYRALISA L.) ON
H.C.****S155937**

Petition for writ of habeas corpus denied

VILLA (RENE) ON H.C.**S155945**

Petition for writ of habeas corpus denied

**SANCHEZ (JOHNNY) ON
H.C.****S155955**

Petition for writ of habeas corpus denied

**CHAVEZ (SALVADOR
ERNESTO) ON H.C.****S155961**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**ALLEN (WILLIAM) ON H.C.****S155964**

Petition for writ of habeas corpus denied

**BUCHANAN (JAMES) ON
H.C.****S155971**

Petition for writ of habeas corpus denied

ROGERS (ERIC) ON H.C.**S155972**

Petition for writ of habeas corpus denied

**BREEDLOVE (CALVIN) ON
H.C.**

S155979

Petition for writ of habeas corpus denied

**WILLIAMS (ANTHONY) ON
H.C.****S156006**

Petition for writ of habeas corpus denied

WENSEL (SHAW) ON H.C.**S156007**

Petition for writ of habeas corpus denied

**KIRVIN (DARIUS EUGENE)
ON H.C.****S156010**

Petition for writ of habeas corpus denied

SMITH (STEPHEN) ON H.C.**S156011**

Petition for writ of habeas corpus denied

**UNDERWOOD (JAYLIN) ON
H.C.****S156012**

Petition for writ of habeas corpus denied

**PHILLIPS (ONEAL PAUL)
ON H.C.****S156014**

Petition for writ of habeas corpus denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425: whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. ____, 127 S. Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.

**BARNES (LEVERTIS) ON
H.C.**

S156015

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**VALLIER (CARL ANTHONY)
ON H.C.****S156016**

Petition for writ of habeas corpus denied

HALL (ERIK A.) ON H.C.**S156017**

Petition for writ of habeas corpus denied

SMITH (VINCENT) ON H.C.**S156019**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)**MARTIN (TYRONE D.) ON
H.C.****S156023**

Petition for writ of habeas corpus denied

ALLEN (RICHARD) ON H.C.**S156028**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**VIRGEN (RAYMOND) ON
H.C.****S156044****CLINTON)**

Petition for writ of habeas corpus denied

**DANIELS (DARYL
ON H.C.****S156052**

Petition for writ of habeas corpus denied

**KENYON (WAYLON E.) ON
H.C.**

S156053**GARCIA (JERRY) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S156057**SOMMERS (ROSS I.) ON H.C.**

Petition for writ of habeas corpus denied

S156060**JACKSON (ANDRE LAMAR)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S156065**GONZALEZ (ERNESTO M.)
ON H.C.**

Petition for writ of habeas corpus denied

S156066**MARSHALL CHRISTOPHER)
ON H.C.**

Petition for writ of habeas corpus denied

S156068**WASHINGTON (TEROMI)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

S156069**CARDONA (LUIS) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S156083**BROWN (HILTON
LAWRENCE) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S156086****STUARD (DAVID RONALD)
ON H.C.**

Petition for writ of habeas corpus denied

S156110**MULVIHILL (CHARLES R.)
ON H.C.**

Petition for writ of habeas corpus denied

S156113**EPPS (DENNIS L.) ON H.C.**

Petition for writ of habeas corpus denied

S156119**PHILLIPS (NICHOLAS) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S156130****ABNEY (HARVEY RAY) ON
H.C.**

Petition for writ of habeas corpus denied

S156135**TENNARD (JOSEPH ANDRE)
ON H.C.**

Petition for writ of habeas corpus denied

S156144**RAMIREZ (ENRIQUE) ON
H.C.**

Petition for writ of habeas corpus denied

S156737

Petition for writ of habeas corpus denied

HILL (EUGENE) ON H.C.**S157077**

Petition for writ of habeas corpus denied

**SWOKLA (GREGORY) ON
H.C.****S157171**

Petition for writ of habeas corpus denied

KING (LEVI) ON H.C.**S157674**

Petition for writ of habeas corpus denied

See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 al.3d 921.)

**CHATMAN (CHARLES) ON
H.C.****S157705**

Petition for writ of habeas corpus denied

**KELLAM (VINCENT) ON
H.C.****S157786**

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**DELGADO (KENNETH R.)
N H.C.****S160419****H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

AGUILAR (MIGUEL) ON

S160692**PEOPLE v. VERDUGO
(JERRY RUIZ)**

Depublication ordered

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed April 17, 2007, which appears at 150 Cal.App.4th Supp. 1. (Cal. Rules of Court, rule 8.1125(c)(1).)

S158829**ALEJO (ENRIQUE) v.
ALVARADO (ANNABEL)**

Publication request denied (case closed)

S159203 H030039 Sixth Appellate District**WHELAN (KENNETH) v.
ANDERSON CHEVROLET
LOS GATOS, INC.**

Publication request denied (case closed)

S159338 B196727 Second Appellate District, Div. 4**SEY (SAYOM) v. RAZAVI
(MOHAMMAD)**

Publication request denied (case closed)

S159531 E039507**ANDERSON (TERRY) v.
RIVERSIDE CHRYSLER
JEEP**

Publication request denied (case closed)

S159632 F052037 Fifth Appellate District**SILVA (LINDA & WAYNE),
MARRIAGE OF**

Publication request denied (case closed)

The request for an order directing partial-publication of the opinion in the above-entitled appeal is denied.

S159671 A113341/A114313 First Appellate District, Div. 5**ORTEGA (JOSE) v. CONTRA
COSTA COMMUNITY
COLLEGE DISTRICT**

Depublication request denied (case closed)

S159783 E039614/E039615 Fourth Appellate District, Div. 2 **FREEMAN (MICHAEL) v. MATTRESS GALLERY**

Publication request denied (case closed)

S159858 D050407 Fourth Appellate District, Div. 1 **M. (ALEXANDRIA), IN RE**
Depublication request denied (case closed)

S159609 C050078 Third Appellate District **PEOPLE v. MARTEN (CHRISTINA MARIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2008.

S159619 A114235 First Appellate District, Div. 2 **PEOPLE v. GARRY (MCKINLEY WILLIAM)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 2, 2008.

S159719 A116212 First Appellate District, Div. 3 **PEOPLE v. ADANANDUS (PIERRE)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 7, 2008.

S159809 B192755 Second Appellate District, Div. 1 **PEOPLE v. COYE (ARTURO ENRIQUE)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2008.

S045184 **PEOPLE v. BONILLA (STEVEN W.)**

Motion denied (confidential)

S076334**PEOPLE v. ARISMAN
(DAVID W.)**

Motion for access to sealed record granted

Appellant's "Motion to Unseal Records," filed on January 29, 2008, is granted as follows. The Clerk is directed to unseal the following portions of the record: the hearings on August 1, 1997 (A RT 100-104), November 18, 1997 (A RT 187-192, numbered as pages 76-81 in the sealed transcript), March 10, 1998 (A RT 242-251), a separately sealed copy of the transcript of the same March 10, 1998, hearing (the pages of which are numbered 8-17), December 2, 1998 (20 RT 3175-3185), and December 4, 1998 (20 RT 3193-3202). The Clerk is further directed to redact the trial judge's notes from the sealed pages in Supp. II, vol. 1 (Accusation, pages 94-130), and unseal the pages as redacted. The Clerk is directed to make materials thus unsealed a part of the public record in this case and to transmit a copy of these portions of the record to respondent and a copy of the redacted Supp. II, vol. 1 (Accusation, pages 94-130) to counsel for appellant.

